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Office of the Director

May 31, 1979

RR:0062

Mr. Donald Bremner, Chairman
Environmental Quality Commission
550 Halekauwila Street, Room 301
Honolulu, Hawaii 96813

Dear Mr. Bremner:

**Revised Exemption List
Department of Transportation
Hawaiian Home Lands
Department of Transportation Services**

The Environmental Center has reviewed the above cited exemption lists with the assistance of Tamotsu Sahara, Facilities Planning Office; Bryce Decker, Geography; and Jacquelin Miller and Barbara Vogt, Environmental Center.

The following comments are presented for your consideration regarding the proposed exemption lists:

Department of Transportation

Class 1

A. Structures

The requested exemption from environmental assessment of routine termite and pest control treatment of buildings is appropriate. Use of pesticides and termicides in areas adjacent to, or over waters, i.e. pier pilings or docks, should not be exempt. We assume that the requested exemption applies only to buildings and will not include chemical treatments to unimproved conservation district lands.

Class 2

B. Facility

1. The listing of "airfield pavements, and air and water navigational aids to meet acceptable safety standards" should be a separate item from improvements to automobile roadway facilities.
2. The term "upgrade" should be defined. Because drainage improvements may affect areas outside of the immediate jurisdiction of the DOT,

changes in capacity or the velocity of the drainage system should not be included under a blanket exemption. Since the term "upgrade" has no boundaries, replacements to existing drainage facilities should specify that drainage flow not be altered without prior assessment.

5. Modification to roadways, particularly with regard to adding signals or additional lanes should not have a blanket exemption. Assessment of cumulative effects from such actions and neighborhood input should be included in the initial planning stages. Replacement of roads resulting in significant grading or clearing should be subject to assessment.

Perhaps similar wording to that used in the exemption list by the Kauai Department of Public Works would accomplish the desired assessment and provide consistency within similar activities; i.e.: "Reconstruction of an existing highway for safety purposes by widening less than one lane width, adding shoulders, adding auxiliary lanes for localized purposes (passing, deceleration for turns, etc.) and correcting substandard curves and intersections."

6. This requested exemption is covered under items 2 and 5 above, i.e. drainage improvements would be covered in item #2 and traffic safety considerations are covered by item #5.
7. "Reconstruction of existing stream crossings" should not be exempt. Such reconstruction should be subject to review and input from the community involved as to the design and location. Recent public concern has been expressed over replacement of historical-aesthetic bridges with modern structures. Unsafe bridges are obviously a hazard, but depending on their style can often be used for foot or bicycle traffic.

Class 5

11. Archeological surveys are only acceptable as exempt actions if no excavation is involved. Methods limiting the extent and types of archeological surveys should be made more explicit.
13. Ecological surveys may be acceptable as exempt actions providing that collection of material does not include endangered plants or animals and will not have a significant effect on the ecological community. We are generally not in favor of blanket exemptions for ecological surveys. However, if specific types of surveys are envisioned and the collection methods delineated an exempt determination may be appropriate.

Class 7

7. Loading docks should be deleted. Such facilities require public input as to size and location. Commercial facilities definitely need the broad review available through an assessment procedure.
8. "Works of art" do not belong in an exemption list.

May 31, 1979

9. The exemption of the alterations and improvements listed under this request is too broad. The specific types of exemptions and the types of existing facilities to which they are accessory should be indicated. As presently drafted the request would, in its broadest interpretation, permit the construction of much if not all secondary structures to harbor development without public input through environmental assessment procedures.

Hawaiian Home Lands

Class 4


- b. "Minor subdivisions—one lot into two."

Would this exemption apply to the division of existing multi lot subdivisions?

Department of Transportation Services

The current request by the Department of Transportation Services to have the construction of Bus Information booths, shelters, telephone booths, etc. exempt from environmental assessment seems reasonable. However the request should be assigned to the appropriate class of action under the EQC regulations. Similarly, the existing approved DOTS exemption list dated August 18, 1975 should be revised to designate the correct classes of action to which the exemptions would apply.

Yours very truly,



Doak C. Cox
Director

DCC:lmk

cc: Tamotsu Sahara
Bryce Decker
Jackie Miller
Barbara Vogt